

REMARKS

Claims 1-12, all the claims pending in the application, stand rejected. In order to advance prosecution, Applicants have cancelled claims 1-7. Applicants also have amended claims 8 and 10-12 in order to expressly incorporate a “comparison means” that is used for performing a comparison of stored and transmitted secret information, in order to control the activity of the first point transfer means or a “comparison step with similar functional limitations. Thus, only claims 8-12 remain pending.

Support for the feature added to claims 8 and 10-12 is found at least at page 19, second full paragraph of the original specification and corresponds with the operation of element 14c.

Claim Rejections - 35 U.S.C. § 103

Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Postrel (6,594,640) in view of Martinez et al (6,119,229). This rejection is moot in view of the cancellation of the rejected claims.

Claims 3-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Postrel in view of Martinez et al, as applied to claims 1 and 2, and further in view of Freishtat (6,567,850). This rejection is moot in view of the cancellation of the rejected claims.

Claims 7-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Postrel in view of Martinez as applied to claims 1-2, and further in view of Atalla (4,268,715) and Durst, Jr. et al (2001/0032252). This rejection is traversed for at least the following reasons.

Claim 7

As to claim 7, the rejection is moot in view of the cancellation of this claim.

Claim 8

Applicants’ previous analysis and argument with regard to claim 8 continue to apply, and are further enhanced by the amendment to claim 8.

Postrel and Martinez

Applicants previously demonstrated that the claimed invention is patentable over Postrel and Martinez. The Examiner admits that Postrel is deficient in failing to disclose “secret identification information updating means.” Postrel also is deficient with respect to the teaching of a “comparison means” as claimed.

Atalla

First, Applicants respectfully submit that all of the limitations of amended claims 8-12, especially comparison between the secret identification information, are not disclosed in Atalla. The selected number in Atalla is merely a seed for generating an encryption key. The selected number is not compared with any other selected number. Thus, there is no teaching or suggestion, nor any need for, a “comparison means” as now expressly claimed in claim 8.

Second, as previously asserted, Atalla does not concern games specifically.

Third, the claim uses “means plus function” limitations that previously had been argued with respect to claim 7, and the remarks related to claim 7 (other than the presence of separate and independent servers) would apply.

Fourth, the claim requires a “secret identification information updating means” that updates the secret identification information when the point information stored in the first database is updated by the point information updating means. As noted, there is no updating each time verification of a user is established. Further, the claim expressly requires point information and secret identification information returning means for returning both the point information and secret identification information stored in the first database when a point inquiry request is received.

Durst

The Examiner looks to Durst for such teaching at paragraph 0134. In particular, the Examiner admits that Atalla and Postrel are silent on returning secret identification information upon receiving a point inquiry request but asserts it is well known to have such information provided upon request.

However, Durst et al does not teach or suggest such feature where both point information and secret identification information are provided. Moreover, Durst et al does not remedy the deficiencies of Postrel, Martinez et al and Atalla. In particular, Durst does not teach the use of the “comparison means” or a “comparison step” as claimed, namely, the comparison of secret information transmitted in a point transfer request and secret information stored in the first database.

Claim 9

With regard to this claim, it would be patentable due to its dependence from claim 8.

Claims 10-12

Claims 10 and 12 also have been amended to include an express limitation directed to the “comparison means,” similar to that recited in claim 8. Claim 11 has been amended to include a “comparison step” with similar limitations. As already noted, these limitations clearly distinguish over Atalla.

Further, Applicants’ previous arguments continue to apply as Durst is insufficient to remedy those deficiencies. Thus, these claims would be patentable for the same reasons as given for claim 8.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Alan J. Kasper/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Alan J. Kasper
Registration No. 25,426

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